

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND ZONING VARIANCE * ZONING COMMISSIONER
S/S Monktan Road, 570 ft. E *
of c/1 of Big Falls Road * OF BALTIMORE COUNTY
811 Monktan Road *
7th Election District * CASE # 90-459-SPHA
3rd Councilmanic District *
Francis William Durbin, Jr., *
et ux *
Petitioners *

AMENDED ORDER

WHEREAS, an Order was issued in the above captioned case on October 24, 1990 granting Petitioner's request for a special hearing and variance, subject to restrictions set forth therein; and

WHEREAS, as a result of a clerical error, a portion of the granted variance relief was not included in the written Order dated October 24, 1990; and,

WHEREAS, said Order should be amended to include the following zoning variance request:

Section 400.1, 400.3 to allow an accessory structure (pole building) with a maximum height of 20 ft. 8 inches to be located in the side yard in lieu of the permitted 15 ft. height and required rear yard, respectively.

THEREFORE, IT IS ORDERED this 31st day of October, 1990 that the Petition for Zoning Variance from Section 400.1, 400.3 to allow an accessory structure (pole building) with a maximum height of 20 ft. 8 inches to be located in the side yard in lieu of the permitted 15 ft. height and required rear yard, respectively, is hereby GRANTED; and,

ORDER RECEIVED FOR FILING
Date 10/24/90
By M. Durbin

WHEREAS, IT IS FURTHER ORDERED that all of the terms, conditions and restrictions set forth in the original Order dated October 24, 1990 shall continue in full force and effect.

JRH:mmm
cc: Peoples Counsel

J. Robert Haines
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 10/24/90
By M. Durbin

-2-

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

October 29, 1990



Dennis F. Rasmussen
County Executive

Newton A. Williams, Esquire
Nolan, Plumhoff and Williams, Chtd.
Suite 700 Court Towers
Towson, Maryland 21204

RE: Case No. 90-459-SPHA
Francis William Durbin, Jr.
Petitioner

Dear Mr. Williams:

Enclosed please find the Amended Order regarding the above captioned case.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Amended Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

J. Robert Haines
Zoning Commissioner

JRH:mmm
cc: Peoples Counsel
cc: Mr. William Francis Durbin, Jr.
811 Monktan Road
Monktan, Maryland 21111

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND ZONING VARIANCE * ZONING COMMISSIONER
S/S Monktan Road, 570 ft. E *
of c/1 of Big Falls Road * OF BALTIMORE COUNTY
811 Monktan Road *
7th Election District * CASE # 90-459-SPHA
3rd Councilmanic District *
Francis William Durbin, Jr., *
et ux *
Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request, pursuant to the Petition for Special Hearing, a finding that the garaging of one commercial vehicle (a 25,000 lbs. unloaded dump truck) in the requested accessory structure does not constitute a contractor's storage yard or service garage with only light, routine maintenance; and a Petition for Zoning Variance from Section 431 to permit one commercial vehicle of 25,000 lbs. unloaded gross combination weight 65,000 lbs. loaded in lieu of the permitted 10,000 lbs. to be garaged in an accessory building, as more particularly described on Petitioner's Exhibit 1.

The Petitioner, Francis William Durbin, Jr., appeared and testified on behalf of the Petition. There were no Protestants.

Testimony indicated that the subject property known as 811 Monktan Road consists of 2.142 acres +/- zoned R.C.5 and is currently improved with a single family dwelling. The Petitioner testified that he is an independent dump truck operator and desires to store the truck on the subject site. The Petitioner testified that he desires to construct a garage to store the vehicle, as indicated on Petitioner's Exhibit No. 1. He testified that he does no maintenance work on the vehicle at his home, but merely stores it

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Date 10/24/90
By M. Durbin

there in view of the lack of available commercial vehicle parking lots in his area. In addition, the Petitioner submitted letters from his neighbors including one from Paul Fabiszak, Chief of the Hereford Volunteer Ambulance Association, in support of Petitioner's request.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 and Section 502.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that indicates that the requested relief, if granted, would adversely affect the health, safety and/or general welfare of the public based on the specific facts presented in this case. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested, pursuant to the Petitions for Special Hearing and Zoning Variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 24th day of October, 1990 that, pursuant to the Petition for Special Hearing, a finding that the garaging of one commercial vehicle (a 25,000 lbs. unloaded dump truck) in the requested accessory structure does not constitute a contractor's storage yard or service garage with only light, routine maintenance is hereby GRANTED; and,

IT IS FURTHER ORDERED that a Petition for Zoning Variance from Section 431 to permit one commercial vehicle of 25,000 lbs. unloaded gross combination weight 65,000 lbs. loaded in lieu of the permitted 10,000 lbs. to be

ORDER RECEIVED FOR FILING
Date 10/24/90
By M. Durbin

-2-

garaged in an accessory building is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioner shall perform no body, fender or major mechanical repairs on any commercial vehicle on the subject site.
3. Upon request and reasonable notice, the Petitioner shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

J. Robert Haines
Zoning Commissioner
for Baltimore County

JRH:mmm
cc: Peoples Counsel

ORDER RECEIVED FOR FILING
Date 10/24/90
By M. Durbin

-3-

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

October 19, 1990



Dennis F. Rasmussen
County Executive

Newton A. Williams, Esquire
Nolan, Plumhoff and Williams, Chtd.
Suite 700 Court Towers
Towson, Maryland 21204

RE: Petitions for Special Hearing and Zoning Variance
Francis William Durbin, Jr., et ux, Petitioners
Case #90-459-SPHA

Dear Mr. Williams:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Hearing and Zoning Variances have been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

J. Robert Haines
Zoning Commissioner
for Baltimore County

JRH:mmm
att.
cc: Peoples Counsel
cc: Mr. and Mrs. Francis William Durbin, Jr.
811 Monktan Road
Monktan, Maryland 21111

PETITION FOR SPECIAL HEARING
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY. 90-459-SPHA

The undersigned, legal owner(s) of the property situate in Baltimore County and which described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve

A finding that the garaging of one commercial vehicle (a 25,000 lbs. unloaded dump truck) in the requested accessory structure does not constitute a contractor's storage yard or service garage with only light, routine maintenance. (Companion Variance sought)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

1. The truck in question is only 25,000 lbs. I/We do solemnly declare and affirm, unloaded, will be kept garaged at all times, under the penalties of perjury, that I/we and only I/we, quit: routine maintenance is are the legal owner(s) of the property proposed, with no outside storage or heavy which is the subject of this Petition.

Contract Purchaser: _____ Legal Owner(s): _____

(Type or Print Name) _____ (Type or Print Name) _____

Signature _____ Signature _____

Address _____ Address _____

City and State _____ City and State _____

Attorney for Petitioner: _____

Newton A. Williams, Esquire _____

Nolan, Plumhoff & Williams, Chtd. _____

(Type or Print Name) _____

Address _____

City and State _____

Name, address and phone number of legal owner, contract purchaser or representative to be contacted _____

Name _____

Address _____

Phone No. _____

Attorney's Telephone No.: 823-7890 _____

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day of _____, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 12th day of Oct., 1990, at 11:30 o'clock.

P. M.

J. Robert Haines

Zoning Commissioner of Baltimore County

(over)

ORDER RECEIVED FOR FILING
Date 10/24/90
By M. Durbin

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 7th Date of Posting: 5/1/90
Posted for: Variances
Petitioner: Francis William Durbin, Jr. et al.
Location of property: 90 Monktion Rd, 70' E of Big Falls Rd.
811 Monktion Rd
Location of Sign: Facing Monktion Rd, approx. 10' from driveway
on property of P. Haines
Remarks: None
Posted by: [Signature] Date of return: 5/17/90
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 8, 1990
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on May 2, 1990

THE JEFFERSONIAN,

S. Zabe Olson
Publisher

NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:
Petition for Zoning Variance
Case Number: 90-459-A
5/5 Monktion Road, 570' E of c/l of Big Falls Road
7th Election District
Petitioner(s): Francis William Durbin, Jr., et al.
Hearing Date: Tuesday, May 29, 1990 at 3:00 p.m.
Variance: to allow an accessory structure (pole building) with a maximum height of 20 feet, 8 inches to be located in the side yard in lieu of the permitted 15 foot height and required rear yard, respectively.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.
J. ROBERT HAINES
Zoning Commissioner of Baltimore County
TJ56012 May 5

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 8, 1990
THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on May 2, 1990

TOWSON TIMES,

S. Zabe Olson
Publisher

NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:
Petition for Zoning Variance
Case Number: 90-459-A
5/5 Monktion Road, 570' E of c/l of Big Falls Road
7th Election District
Petitioner(s): Francis William Durbin, Jr., et al.
Hearing Date: Tuesday, May 29, 1990 at 3:00 p.m.
Variance: to allow an accessory structure (pole building) with a maximum height of 20 feet, 8 inches to be located in the side yard in lieu of the permitted 15 foot height and required rear yard, respectively.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.
J. ROBERT HAINES
Zoning Commissioner of Baltimore County
TJ56012 May 5

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R 001-6150
Number

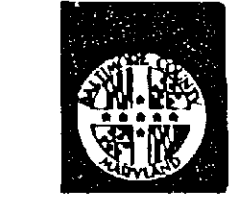
receipt
No 2615

Date: 5/27/90
PUBLIC HEARING FEES
QTY PRICE
Q89 - POSTING SIGNS / ADVERTISING 1 A \$132.53
TOTAL: \$132.53
LAST NAME OF OWNER: DURBIN

8 114*****1325318 5301F
Please make checks payable to: Baltimore County
Cashier Validation:

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

DATE 5/14/90



Dennis F. Rasmussen
County Executive

Mr. & Mrs. Francis William Durbin, Jr.
811 Monktion Road
Monktion, Maryland 21111

Re: Petition for Zoning Variance
CASE NUMBER: 90-459-A
5/5 Monktion Road, 570' E of c/l of Big Falls Road
811 Monktion Road
7th Election District - 3rd Councilmanic
Petitioner(s): Francis William Durbin, Jr., et al.
HEARING: TUESDAY, MAY 29, 1990 at 3:00 p.m.

Dear Petitioners:

Please be advised that \$132.53 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,
J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

JRH

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

April 12, 1990

NOTICE OF HEARING



Dennis F. Rasmussen
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Zoning Variance
CASE NUMBER: 90-459-A
5/5 Monktion Road, 570' E of c/l of Big Falls Road
811 Monktion Road
7th Election District - 3rd Councilmanic
Petitioner(s): Francis William Durbin, Jr., et al.
HEARING: TUESDAY, MAY 29, 1990 at 3:00 p.m.

Variances to allow an accessory structure (pole building) with a maximum height of 20 feet, 8 inches to be located in the side yard in lieu of the permitted 15 foot height and required rear yard, respectively.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of Baltimore County

cc: Petitioners

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

May 15, 1990



Dennis F. Rasmussen
County Executive

Mr. & Mrs. Francis W. Durbin, Jr.
811 Monktion Road
Monktion, MD 21111

RE: Item No. 328, Case No. 90-459-A
Petitioner: Francis W. Durbin, et ux
Petition for Zoning Variance

Dear Mr. & Mrs. Durbin:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner



Dennis F. Rasmussen
County Executive

Your petition has been received and accepted for filing this 11th day of April, 1990.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman
Zoning Plans Advisory Committee

Petitioner: Francis W. Durbin, et ux
Petitioner's Attorney:



Maryland Department of Transportation
State Highway Administration

Richard H. Trainor
Secretary
Neil Kassoff
Administrator

April 9, 1990

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204
Attn: James Dyer

RE: Baltimore County
Francis William Durbin
Property
Zoning meeting 4/10/90
5/5 Monktion Road
MD 138
570' east of Big Falls Road
Item #328

Dear Mr. Haines:

After reviewing the submittal for a variance to allow an accessory structure with a maximum height of 20', 8" inches to be located in the sideyard in lieu of the permitted 15' height, we find the plan acceptable.

If you have any questions, contact Larry Brocato (333-1350).

Very truly yours,

Charles Rose
Charles Rose, Acting Chief
Engineering Access Permits
Division

LB/es

cc: Mr. J. Ogle

RECEIVED
APR 11 1990
ZONING OFFICE

My telephone number is (301) 333-1350
Teleprinter for Impaired Hearing or Speech
363-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: April 6, 1990
Zoning Commissioner

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Henry F. Renard, Item No. 326
Theresa Marie Durbin, Item No. 328
Diana Ely Epstein, Item No. 325
Donald H. Wilson, III, Item No. 323
Richard H. Kress, Item No. 320
Michael R. Spodak, Item No. 318
Richard C. Tilghman, Item No. 319
Durban Road Ltd. Part., Item No. 315
Fitch Avenue Ltd. Part., Item No. 314
Douglas E. Abrams, Item No. 308
Chestnut Ridge Country Club, Item No. 300

In reference to the Petitioners' requests, staff offers no comment.

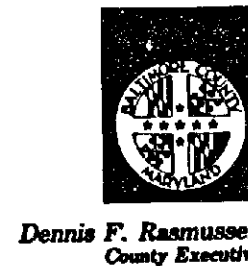
If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

ITEMVARI-ED/ZAC1

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3554

April 6, 1990



J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

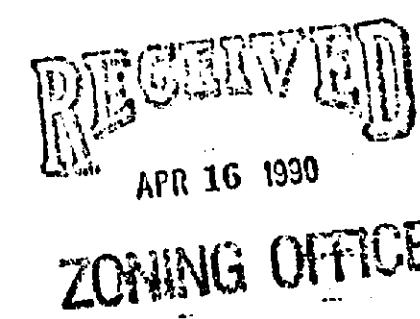
Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 322, 323, 325, 326, 327, and 328:

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Assoc. II

MSF/lvw



Baltimore County
Fire Department
Towson, Maryland 21204-2386
494-4500
Paul H. Reincke
Chief

APRIL 6, 1990



Dennis F. Rasmussen
County Executive

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: FRANCIS WILLIAM DURBIN, JR.

Location: #811 MONKTON ROAD

Item No.: 328 Zoning Agenda: APRIL 10, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *Ch. H. Kelly 4-6-90* Noted and Approved *Captain W. Brady*
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

APR 10 1990

BALTIMORE COUNTY, MARYLAND
INTER OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: April 4, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for April 10, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 323, 325, 326, 327 and 328.

For Item 322, the previous County Review Group comments apply.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

June 12, 1990



Dennis F. Rasmussen
County Executive

Mr. & Mrs. Francis Durbin, Jr.
811 Monkton Road
Monkton, Maryland 21111

RE: Case #90-459-A

Dear Mr. & Mrs. Durbin:

It is my understanding that Catherine A. Milton of my office has received a telephone message from Newton Williams, Esq., indicating that he may represent you in the above referenced case.

I will continue this matter until June 29, 1990, while I await your decision. A letter from Mr. Williams, indicating to me that he will represent you and is intending to file the proper petitions, should be received no later than June 29, 1990.

If you have any questions, you may contact Ms. Milton at 887-3391.

Very truly yours,

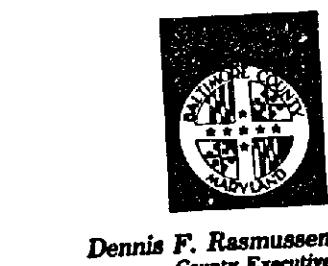
J. Robert Haines
J. Robert Haines
Zoning Commissioner

JRH:jat
cc: Newton Williams, Esq.
File

6/29/90
Dear Mr. Haines - Miss Milton and I have prepared variances and special hearing to continue Mr. Durbin's case - he may represent himself at the cont'd hearing or our firm may later enter our appearance. Thank you! Respectfully, Newton Williams

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

June 12, 1990



Mr. & Mrs. Francis Durbin, Jr.
811 Monkton Road
Monkton, Maryland 21111

RE: Case #90-459-A

Dear Mr. & Mrs. Durbin:

It is my understanding that Catherine A. Milton of my office has received a telephone message from Newton Williams, Esq., indicating that he may represent you in the above referenced case.

I will continue this matter until June 29, 1990, while I await your decision. A letter from Mr. Williams, indicating to me that he will represent you and is intending to file the proper petitions, should be received no later than June 29, 1990.

If you have any questions, you may contact Ms. Milton at 887-3391.

Very truly yours,

J. Robert Haines
J. Robert Haines
Zoning Commissioner

JRH:jat
cc: Newton Williams, Esq.
File

Mr. & Mrs. Francis W. Durbin, Jr., 811 Monkton Road, Monkton, Md. 21111

NOLAN, PLUMHOFF & WILLIAMS
CHARTERED

SUITE 700, COURT TOWERS
210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5340
(301) 823-7800
TELEFAX: (301) 296-2705

*Re: Additional
Relief in the Durbin
Case - 90-459-A.*

Dear Mr. Milton:

Per our recent office conference, I enclose three (3) copies of two (2) additional Petitions, namely:

1. A Special Varying Petition that the carrying of one (1) curbed dump truck does not constitute a commercial storage yard or service garage.
2. A Variance Petition to Section 431 to permit the above truck to be garaged in the accessory building already sought in the above case.

Our firm may enter its appearance later if needed. It would appear the new relief will require new advertising and posting. Please add us to the mailing list in the middle. Thank you. With best regards, I am, sincerely, Newton Williams

*Francis William Durbin Jr.
811 Monkton Rd.
Monkton, Md. 21111*

Dear Haines,

Please find enclosed a check for the sum of \$70.00. This is for the review and special hearing fee you spoke with Newton Williams about. My case number is 90-459-A.

Would you please send me a note to let me know when the next hearing is set.

*Sincerely,
Francis William Durbin Jr.*

THOMAS E. GOODE
903 MONKTON RD.
MONKTON, MD 21111

5-1-90

6/1/90



TO: MR. J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MD.

ZONING OFFICE

DEAR MR. HAINES

I AM WRITING THIS IN REGARD TO ZONING VARIANCE # 90-459 A FOR A MR. FRANCIS DURBIN, 811 MONKTON RD. PLEASE BE ADVISED THAT A SERIOUS WATER RUN-OFF PROBLEM EXISTS AT 811 MONKTON RD. AND ANY FURTHER CONSTRUCTION WOULD ONLY INCREASE THE AMOUNT OF WATER WHICH RUNS ACROSS MY PROPERTY NOW. I HAVE ASKED THE DEPT. OF ENVIRONMENTAL PROTECTION TO INVESTIGATE THIS MATTER, BUT HAVE NOT YET HEARD FROM THEM. ALSO, THIS VARIANCE IS FOR A LARGE GARAGE TO PARK A COMMERCIAL VEHICLE IN. THIS IS A RESIDENTIAL AREA, AND NO PARKING OF COMMERCIAL VEHICLES IS ALLOWED.

THANK YOU FOR YOUR TIME IN THIS MATTER,

THOMAS GOODE
PH # 321-2465

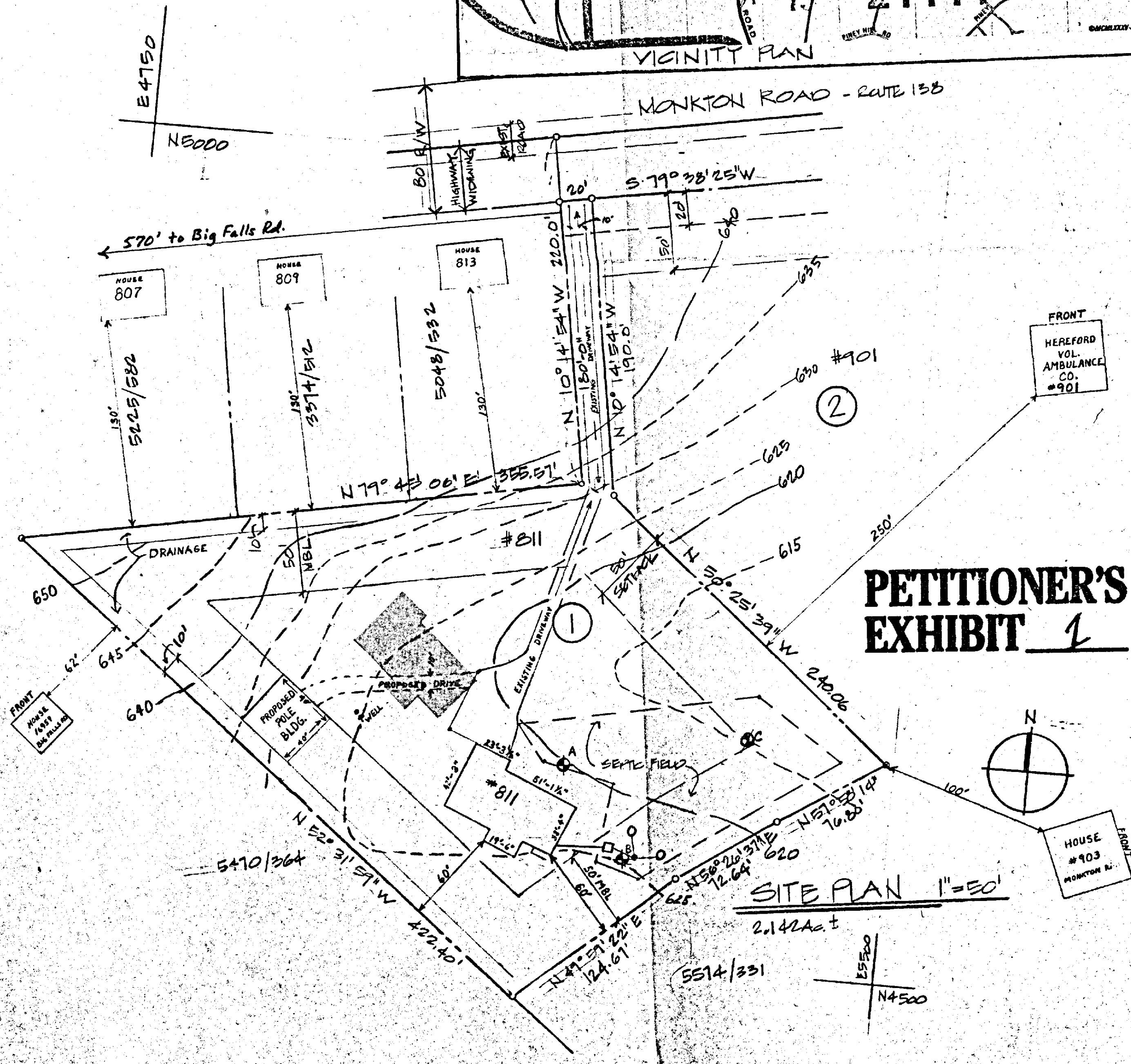
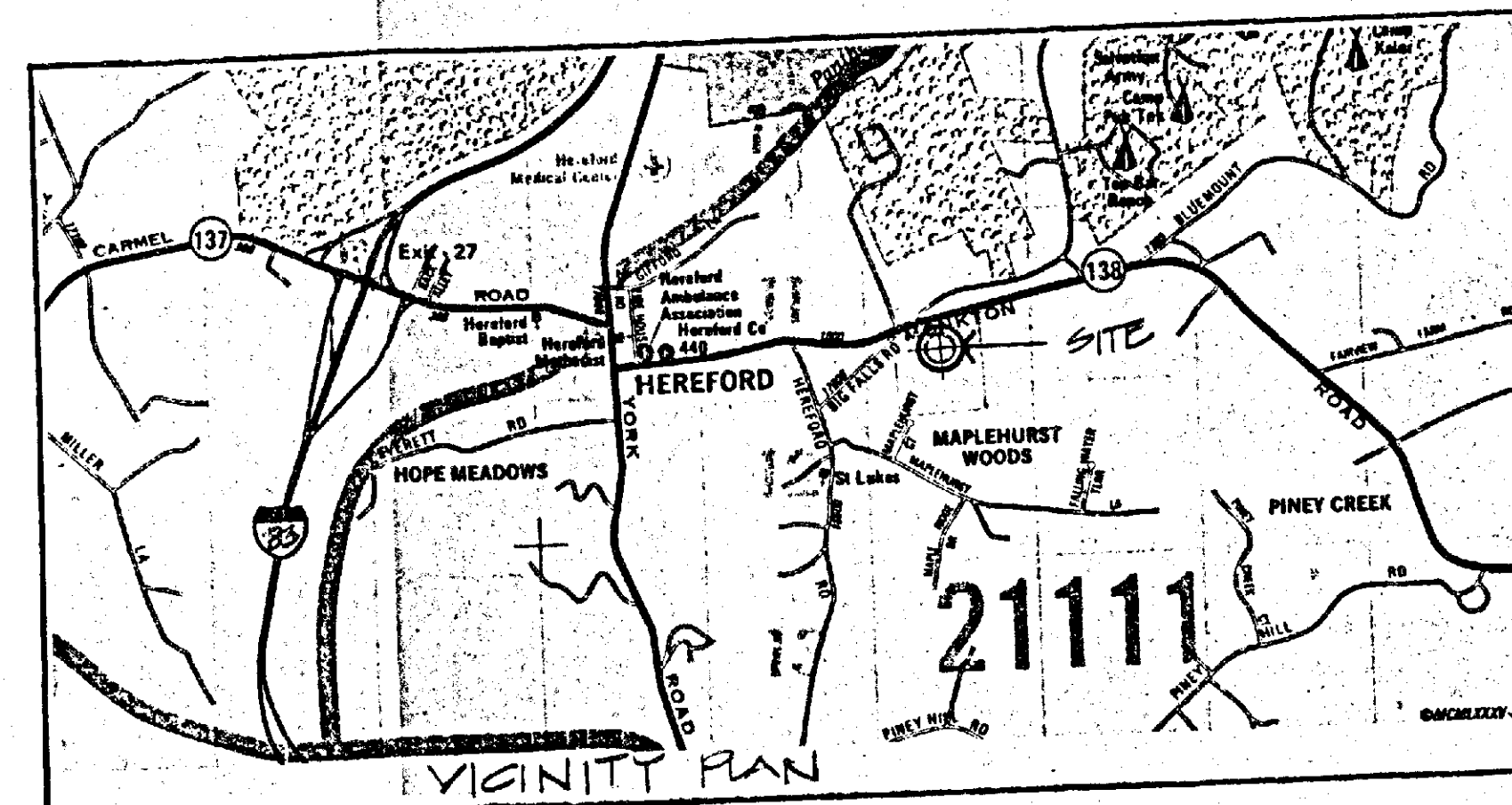
PLAT FOR ZONING VARIANCE
DISTRICT - 7, ZONED - RC-5

SUBDIVISION - DUNMOVIN
LOT 1, BOOK NO. 44, FOLIO 55

THIS PROPERTY IS NOT IN A CRITICAL AREA

LOT SIZE: 2.142 AC.
SCALE: 1"=50'

#328
90-459-~~SPHA~~
SPHA



MR. & MRS. F. W. DURBIN RESIDENCE
ROUTE 138, MONKTON, MD. 21111
BALTIMORE COUNTY

Revisions:
4-6-87 REV. SITE PLAN
6-5-87 REV. SITE PLAN
2-16-90 REV. SITE PLAN

Released For:
☐ Preliminary Only
☐ Bidding
☒ Permits
☐ Construction

Date: 5-20-87
Project No.:
Drawn:
Designed:
Check:

Title:
GENERAL NOTES
SITE PLAN

SP



HEREFORD E.M.S./RESCUE

P.O. Box 262
Monkton, Maryland 21111
Telephone (301) 887-1935

September 24, 1990

Baltimore County Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204

Dear Mr. Haines,

The officers and members of the Hereford Volunteer Ambulance Association have read the legal notice posted by Mr. F. William Durbin, Jr. Mr. Durbin's plans to build a garage to house a dump truck have been explained to us and the exceptions to the zoning code is understood by us. We have no objection to his proposed plans for the use of his property and the construction of a garage. Should you have any questions or need additional information please feel free to contact me at the station or at my home (343-1499). Thank you for your attention and I hope that this letter will assist you in your deliberation.

Sincerely,
Paul M. Fabiszak
Paul M. Fabiszak
Chief

PETITIONER'S
EXHIBIT 2

"Get To Know Us, Before You Need Us"

OCTOBER 1, 1990

Baltimore County Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland, 21204

DEAR MR. HAINES:

WE HAVE READ THE NOTICE CONCERNING THE CONSTRUCTION OF A GARAGE ON THE PROPERTY OF MR. DURBIN. SINCE WE ARE NEIGHBORS WE WOULD LIKE TO INFORM YOU THAT WE HAVE NO OBJECTIONS TO THE BUILDING OF A GARAGE FOR HIS TRUCK. IT WILL IN NO WAY HAVE ANY EFFECT ON OUR PROPERTY.

IF YOU HAVE ANY QUESTIONS, PLEASE CALL US OR CONTACT US AT 809 MONKTON ROAD.

Sincerely,
MR. & MRS. ROBERT WILHELM
Robert & Wilhelms
Robert & Wilhelms

PETITIONER'S
EXHIBIT 4

90-459-SPHA

SEPTEMBER 30, 1990

BALTIMORE COUNTY ZONING COMMISSIONER
Office of Planning & Zoning
Towson, Maryland 21204

Dear Mr. Haines,

My husband and myself are neighbors of Mr. Durbin's. We live directly in front of his home. We have read the notice that he has posted concerning a garage to be built to house a dump truck. We have no objection to his proposed plans for the use of his property and the construction of a garage. If you have any questions please feel free to contact us. Thank you for your attention and I hope that this letter will assist you in your deliberation.

Sincerely,
Jack & Patricia Hain
Jack & Patricia Hain

PETITIONER'S
EXHIBIT 3

Mr. & Mrs. Steven Adelhardt
16957 Big Falls Rd.
Monkton Md. 21111

Oct. 9, 1990

Dear Mr. Haines,

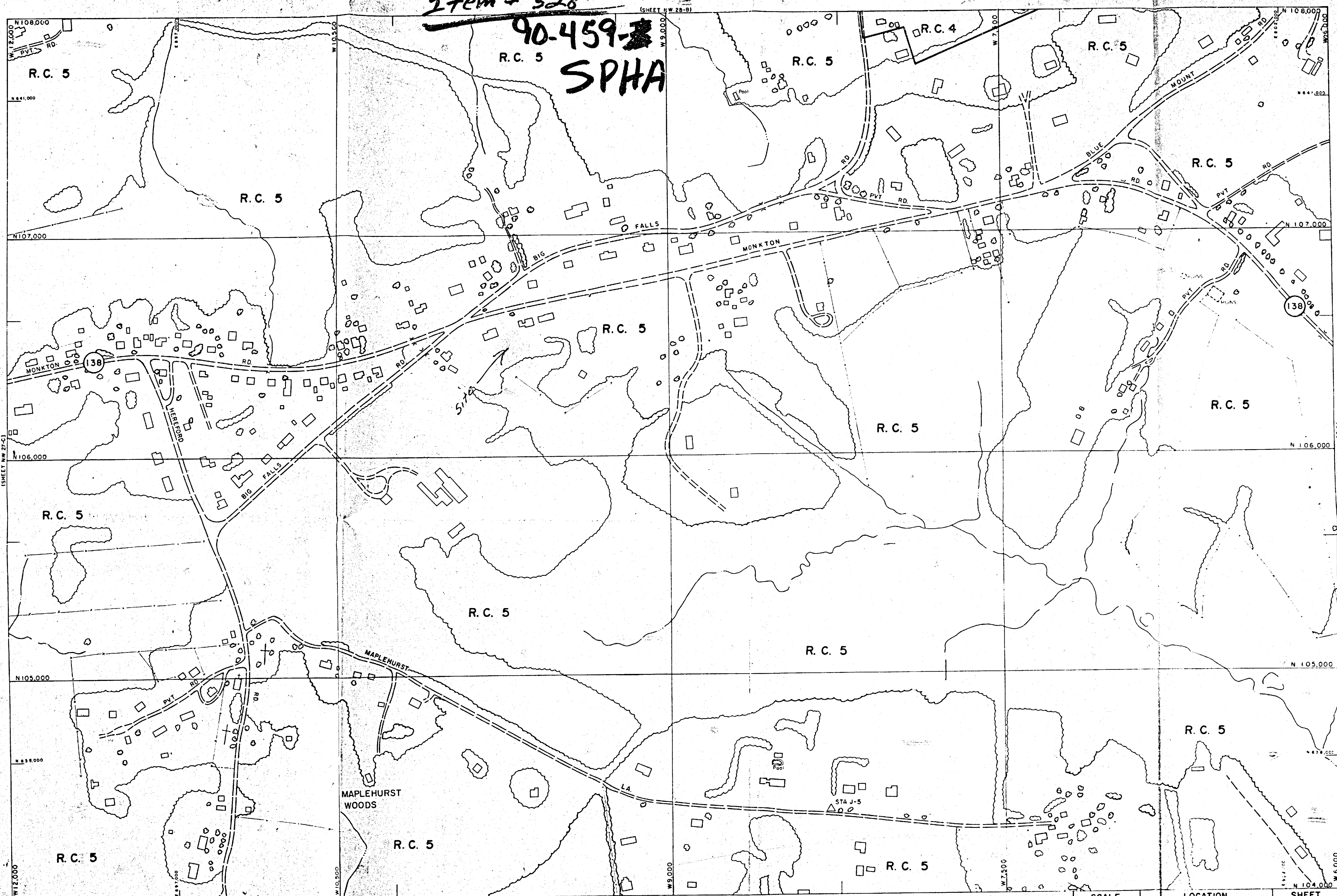
As neighbors of Mr. William Durbin Jr. we have been informed of Mr. Durbin's plans to build a storage shed for his dump truck. Mr. Durbin has explained the matter to my wife and myself. We have read the notice posted and have no objections. If you would care to contact us on this matter please write or call at this number (343-2152).

Sincerely,
Steven Adelhardt
Steven Adelhardt

PETITIONER'S
EXHIBIT 5

90-459-SPHA

Item # 328
 90-459-2
 SPHA



BALTIMORE COUNTY
 OFFICE OF PLANNING AND ZONING
 OFFICIAL ZONING MAP

1988 COMPREHENSIVE ZONING MAP
 Adopted by the Baltimore County Council
 Oct. 13, 1988
 BM Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88
 [Signature]
 Chairman, County Council

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
 TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
 BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

SCALE	LOCATION	SHEET
1" = 200'	EAST OF HEREFORD	N.W. 27-B
DATE OF PHOTOGRAPHY JANUARY 1986		